

REMARKS

In the Office Action dated February 13, 2004, claims 1, 2, 5-11, 13-18, 20-23, 26-31, 34, 36-38, 41, and 43-46 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 6,078,582 (Curry); claim 3 was rejected under § 103 over Curry in view of U.S. Patent No. 6,118,864 (Chang); claim 4 was rejected under § 103 over Curry in view of U.S. Patent No. 5,136,585 (Nizamuddin); claims 12, 25, 39, and 42 were rejected under § 103 over Curry in view of U.S. Patent No. 6,487,186 (Verthein); claims 13, 26, and 48 were rejected under § 103 over Curry in view of U.S. Patent No. 6,275,573 (Naor); claims 13, 14, 26, 27, 47, and 48 were rejected under § 103 over Curry in view of U.S. Patent No. 6,438,124 (Wilkes); and claims 35, 40, 49, and 50 were rejected under § 103 over Curry in view of U.S. Patent No. 6,389,010 (Kubler).

In the present Office Action, element 72A (the Internet telephony server) of Curry was identified as containing the digital interface, packet interface, and controller as recited in claim 1. As shown in Figure 6 of Curry, each ITS (72A, 72B, and 72C) is connected to a corresponding central office (CO). Fundamentally, it is respectfully submitted that the central office of Curry does *not* communicate stimulus control information to the ITS. Therefore, the ITS 72 of Curry cannot possibly include a digital interface to communicate with a stimulus device, nor is it possible for the ITS of Curry to include a controller that receives stimulus control information from the digital interface and encapsulates the stimulus control information into one or more packets for transmission over a packet-based network.

The communication link between the central office 41 and the ITS 71 includes a trunk line 68 and signaling line 70 to support interoffice signaling. Curry, 11:62-64. The interoffice signaling between the central office 41 and the ITS 72 cannot be considered stimulus control information from a stimulus device. Persons of ordinary skill in the art at the time of the present invention recognized the distinction between stimulus messaging and other forms of messaging. *See, e.g.*, U.S. Patent No. 6,549,621, 3:40-43 (“Generally, there are two types of call control messaging, which will be referred to as stimulus messaging and functional messaging, respectively.”); U.S. Patent No. 6,470,020,

1:13-65 (describing the differences between a stimulus signaling protocol and a message protocol). In fact, as recognized by the '621 patent, a *translator* (element 23 in Figure 2 of the '621 patent) is needed to translate between stimulus messaging and functional messaging such as ISDN messaging. '621 patent, 4:51-58. The messaging between the central office and the ITS as performed in Curry constitutes functional messaging (SS7 messaging in Curry), which is *not* the same as stimulus control information as recited in claim 1.

Moreover, claim 1, which has been amended, now recites that the digital interface is for connection with a stimulus telephone. The ITS 72 of Curry does not have a digital interface for *connection* to a stimulus telephone—rather, the ITS 72 has an interface for connection to a central office.

Claim 1 recites a controller to receive *stimulus control information* from a digital interface and to *encapsulate the stimulus control information* into one or more packets. There is no indication in Curry that the CCIS query message received by the ITS 72 is actually the message encapsulated by the ITS. Thus, there is no teaching by Curry of receiving control information and encapsulating *the* control information.

Therefore, claim 1 is allowable over Curry.

Claims that depend from claim 1 are allowable for at least the same reasons as claim 1. Moreover, with respect to dependent claim 17, Curry does not disclose a controller to encapsulate at least one of a hook state information and key press event information into one or more packets. The Office Action pointed to the passage at col. 14, lines 9-17, and elements 136 and 146 of Fig. 9 of Curry as disclosing such a feature. Applicants respectfully disagree. The cited col. 14 passage describes a telephony platform 100 in the ITS 72 that performs basic telephony functions, including incoming call detection (ringing, trunk seizure, etc.), call supervision/progress detection (busy tone, disconnect, connect, recorded announcement, dial tone, speech, etc.), call origination, DTMF, call termination, call disconnect, switch hook flash, and so forth. However, there is absolutely no indication that such information is encapsulated into one or more packets by the ITS 72 disclosed in Curry.

What is packetized by the ITS is a signaling message in the form of a query message. Curry, 15:33-36. This signaling message in the form of a query message does *not* contain a hook state information or a key press event information.

Also, the information contained in the query message of Curry does not contain a *handset* volume control command, a *handset* connect/disconnect command, and *ringer* activation command, as recited in claim 18.

The messaging exchanged between the ITSs 72 (the originating ITS 72a and destination ITS 72b) are messaging exchanged between switches or other stimulus devices, not messaging relating to terminals such as the hook state information, key press event information, handset volume control command, handset connect/disconnect command and ringer activation command.

Similarly, with respect to claim 37, Curry does not disclose the controller to encapsulate a command selected from the group consisting of off-hook, on-hook, handset volume control, handset connect, and handset disconnect in one or more packets.

With respect to independent claim 20, Curry does not disclose encapsulating *stimulus control information* received from a first interface *connected* to a stimulus telephone.

Claims dependent from claim 20 are allowable for at least the same reasons as for claim 20. Moreover, with respect to dependent claim 41, Curry does not disclose encapsulating a command according to a stimulus protocol selected from the group consisting of off-hook, on-hook, handset volume control, handset connect, and handset disconnect.

With respect to independent claim 28, Curry does not disclose encapsulating data according to a *stimulus protocol* into one or more packets for communication to a packet-based network, where the data according to the stimulus protocol is received from a first interface *connected* to a stimulus telephone.

Claims dependent from independent claim 28 are allowable for at least the same reasons as for claim 28. Moreover, with respect to dependent claim 43, Curry fails to disclose encapsulating data according to a stimulus protocol that includes encapsulating

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one of an off-hook stimulus command, on-hook stimulus command, handset volume control stimulus command, handset connect stimulus command, and handset disconnect stimulus command.

With respect to independent claim 34, Curry does not disclose a means for encapsulating a *stimulus message* received through an interface *connected* to a stimulus telephone.

Claims dependent from claim 34 are allowable for at least the same reasons as for claim 34. Moreover, with respect to dependent claim 45, Curry fails to disclose that the means for encapsulating is to encapsulate the command selected from the group consisting of off-hook, on-hook, handset volume control, handset connect, and handset disconnect.

With respect to independent claim 30, Curry does not disclose receiving at least one packet containing a *stimulus message* according to a first language, decapsulating the at least one packet to extract the *stimulus message* according to the first language, and sending the *stimulus message* to an interface *connected* to a stimulus telephone.

Claims dependent from claim 30 are allowable over Curry for at least the same reasons as for claim 30. Moreover, with respect to dependent claim 44, Curry fails to disclose receiving at least one packet containing at least a command selected from the group consisting of off-hook, on-hook, handset volume control, handset connect and handset disconnect.

Dependent claims 3, 4, 12-14, 25-27, 35, 39, 40, 42, and 47-50 were rejected as being obvious over Curry in view of various other references. In view of the defective application of Curry to corresponding base claims of these dependent claims, it is respectfully submitted that the obviousness rejections over Curry and the other references are also defective. Additionally, newly added claims 51-55 are also allowable over the cited references.

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In view of the foregoing, all claims are in condition for allowance, which action is respectfully requested. The Commissioner is authorized to charge any additional fees, including extension of time fees, and/or credit any overpayment to Deposit Account No. 20-1504 (NRC.0002US).

Respectfully submitted,

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Dan C. Hu, Reg. No. 40,025
Trop, Pruner, & Hu, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880
713/468-8883 [fax]